United Nations A/64/L.63

General Assembly

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22 July 2010

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Sixty-fourth session
Agenda item 48
Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Antigua and Barbuda, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Central African Republic, Congo, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Fiji, Georgia, Madagascar, Nicaragua, Paraguay, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia, Seychelles, Solomon Islands, Sri Lanka, Tuvalu, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Yemen: draft resolution

The human right to water and sanitation

The General Assembly,

Recalling its resolutions 54/175 of 17 December 1999, on the right to development, 55/196 of 20 December 2000, proclaiming 2003 as the International Year of Freshwater, 58/217 of 23 December 2003, proclaiming the International Decade for Action, "Water for Life" (2005-2015), 59/228 of 22 December 2004, 61/192 of 20 December 2006, proclaiming 2008 as the International Year of Sanitation, and 64/198 of 21 December 2009, regarding the midterm comprehensive review of the implementation of the International Decade for Action, "Water for Life", Agenda 21 of June 1992,[1] the Habitat Agenda of 1996,[2] the Mar del Plata Action Plan of 1977, adopted by the United Nations Water Conference, and the Rio Declaration on Environment and Development of June 1992,[3]

Recalling also the Universal Declaration of Human Rights,[4] the International Covenant on Economic, Social and Cultural Rights,[5] the International Covenant on

[1] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[2] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[3] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

[4] Resolution 217 A (III).

[5] See resolution 2200 A (XXI), annex.

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Civil and Political Rights,[5] the International Convention on the Elimination of All Forms of Racial Discrimination,[6] the Convention on the Elimination of All Forms of Discrimination against Women,[7] the Convention on the Rights of the Child,[8] the Convention on the Rights of Persons with Disabilities[9] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[10]

Recalling further all previous resolutions of the Human Rights Council on "human rights and access to safe drinking water and sanitation", including Council resolutions 7/22 of 28 March 2008 and 12/8 of 1 October 2009, related to the human right to safe and clean drinking water and sanitation, General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights),[11] the report of the United Nations High Commissioner for Human Rights on the scope and content of the relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments,[12] as well as the report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation,[13]

Deeply concerned that approximately 884 million people lack access to safe drinking water and that more than 2.6 billion do not have access to basic sanitation, and alarmed that approximately 1.5 million children under 5 years of age die and 443 million school days are lost each year as a result of water- and sanitation-related diseases,

Acknowledging the importance of equitable, safe and clean drinking water and sanitation as an integral component of the realization of human rights,

Reaffirming the responsibility of States for the promotion and protection of all human rights, which are universal, indivisible, interdependent and interrelated, and must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the commitment made by the international community to fully achieve the Millennium Development Goals, and stressing, in that context, the resolve of heads of State and Government, as expressed in the United Nations Millennium Declaration,[14] to halve, by 2015, the proportion of people unable to reach or afford safe drinking water, and to halve the proportion of people without access to basic sanitation, as agreed in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation").[15]

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[6] United Nations, *Treaty Series*, vol. 660, No. 9464.

[7] Ibid., vol. 1249, No. 20378.

[8] Ibid., vol. 1577, No. 27531.

[9] Resolution 61/106, annex I.

[10] United Nations, *Treaty Series*, vol. 75, No. 973.

[11] See *Official Records of the Economic and Social Council, 2003, Supplement No. 2* (E/2003/22), annex IV.

[12] A/HRC/6/30.

[13] A/HRC/10/6.

[14] See resolution 55/2.

[15] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

1. *Declares* the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of the right to life;

2. *Calls upon* States and international organizations to provide financial resources, capacity-building and technology transfer, through international assistance and cooperation, in particular to developing countries, in order to scale up efforts to provide safe, clean, accessible and affordable water and sanitation for all;

3. *Welcomes* the decision by the Human Rights Council to request that the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation present an annual report to the General Assembly,[16] and invites the independent expert, in consultation with all relevant United Nations agencies, funds and programmes, to include in her report to the Assembly, at its sixty-sixth session, the principal challenges related to the realization of the human right to water and sanitation and their impact on the achievement of the Millennium Development Goals.

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[16] See Human Rights Council resolution 12/8.

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General Assembly

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Sixty-fourth session
Agenda item 48
Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Antigua and Barbuda, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Burundi, Central African Republic, Congo, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Fiji, Georgia, Haiti, Madagascar, Mauritius, Nicaragua, Nigeria, Paraguay, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia, Seychelles, Solomon Islands, Sri Lanka, Tuvalu, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of) and Yemen: draft resolution

The human right to water and sanitation

The General Assembly,

Recalling its resolutions 54/175 of 17 December 1999, on the right to development, 55/196 of 20 December 2000, proclaiming 2003 as the International Year of Freshwater, 58/217 of 23 December 2003, proclaiming the International Decade for Action, "Water for Life" (2005-2015), 59/228 of 22 December 2004, 61/192 of 20 December 2006, proclaiming 2008 as the International Year of Sanitation, and 64/198 of 21 December 2009, regarding the midterm comprehensive review of the implementation of the International Decade for Action, "Water for Life", Agenda 21 of June 1992,[1] the Habitat Agenda of 1996,[2] the Mar del Plata Action Plan of 1977 adopted by the United Nations Water Conference, and the Rio Declaration on Environment and Development of June 1992,[3]

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[3] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

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Recalling also the Universal Declaration of Human Rights,[4] the International Covenant on Economic, Social and Cultural Rights,[5] the International Covenant on Civil and Political Rights,[5] the International Convention on the Elimination of All Forms of Racial Discrimination,[6] the Convention on the Elimination of All Forms of Discrimination Against Women,[7] the Convention on the Rights of the Child,[8] the Convention on the Rights of Persons with Disabilities[9] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[10]

Recalling further all previous resolutions of the Human Rights Council on "human rights and access to safe drinking water and sanitation", including Council resolutions 7/22 of 28 March 2008 and 12/8 of 1 October 2009, related to the human right to safe and clean drinking water and sanitation, General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights, on the right to water (articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights)[11] and the report of the United Nations High Commissioner for Human Rights on the scope and content of the relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments,[12] as well as the report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation,[13]

Deeply concerned that approximately 884 million people lack access to safe drinking water and that more than 2.6 billion do not have access to basic sanitation, and alarmed that approximately 1.5 million children under 5 years of age die and 443 million school days are lost each year as a result of water- and sanitation-related diseases,

Acknowledging the importance of equitable, safe and clean drinking water and sanitation as an integral component of the realization of all human rights,

Reaffirming the responsibility of States for the promotion and protection of all human rights, which are universal, indivisible, interdependent and interrelated, and must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the commitment made by the international community to fully achieve the Millennium Development Goals, and stressing, in that context, the resolve of Heads of State and Government, as expressed in the United Nations Millennium Declaration,[14] to halve, by 2015, the proportion of people unable to reach or afford safe drinking water, and to halve the proportion of people without

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[4] Resolution 217 A (III).

[5] See resolution 2200 A (XXI), annex.

[6] United Nations, *Treaty Series*, vol. 660, No. 9464.

[7] Ibid., vol. 1249, No. 20378.

[8] Ibid., vol. 1577, No. 27531.

[9] Resolution 61/106, annex I.

[10] United Nations, *Treaty Series*, vol. 75, No. 973.

[11] See *Official Records of the Economic and Social Council, 2003, Supplement No. 2* (E/2003/22), annex IV.

[12] A/HRC/6/30.

[13] A/HRC/10/6.

[14] See resolution 55/2.

access to basic sanitation, as agreed in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[15]

1. *Declares* the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights;

2. *Calls upon* States and international organizations to provide financial resources, capacity-building and technology transfer, through international assistance and cooperation, in particular to developing countries, in order to scale up efforts to provide safe, clean, accessible and affordable drinking water and sanitation for all;

3. *Welcomes* the decision by the Human Rights Council to request that the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation present an annual report to the General Assembly,[16] and encourages her to continue working on all aspects of her mandate and, in consultation with all relevant United Nations agencies, funds, and programmes, to include in her report to the Assembly, at its sixty-sixth session, the principal challenges related to the realization of the human right to safe and clean drinking water and sanitation and their impact on the achievement of Millennium Development Goals.

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[15] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[16] See Human Rights Council resolution 12/8.

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Sixty-fourth session
Agenda item 48
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Antigua and Barbuda, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Burundi, Central African Republic, Congo, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Fiji, Georgia, Haiti, Madagascar, Mauritius, Nicaragua, Nigeria, Paraguay, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia, Seychelles, Solomon Islands, Sri Lanka, Tuvalu, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of) and Yemen: draft resolution

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Recalling its resolutions 54/175 of 17 December 1999, on the right to development, 55/196 of 20 December 2000, proclaiming 2003 as the International Year of Freshwater, 58/217 of 23 December 2003, proclaiming the International Decade for Action, "Water for Life" (2005-2015), 59/228 of 22 December 2004, 61/192 of 20 December 2006, proclaiming 2008 as the International Year of Sanitation, and 64/198 of 21 December 2009, regarding the midterm comprehensive review of the implementation of the International Decade for Action, "Water for Life", Agenda 21 of June 1992,[1] the Habitat Agenda of 1996,[2] the Mar del Plata Action Plan of 1977[3] adopted by the United Nations Water Conference, and the Rio Declaration on Environment and Development of June 1992,[4]

* Reissued for technical reasons on 27 July 2010.

[1] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

[2] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[3] *Report of the United Nations Water Conference, Mar del Plata, 14-25 March 1977* (United Nations publication, Sales No. E.77.II.A.12), chap. I.

[4] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

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Recalling also the Universal Declaration of Human Rights,[5] the International Covenant on Economic, Social and Cultural Rights,[6] the International Covenant on Civil and Political Rights,[6] the International Convention on the Elimination of All Forms of Racial Discrimination,[7] the Convention on the Elimination of All Forms of Discrimination against Women,[8] the Convention on the Rights of the Child,[9] the Convention on the Rights of Persons with Disabilities[10] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,[11]

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Acknowledging the importance of equitable, safe and clean drinking water and sanitation as an integral component of the realization of all human rights,

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[5] Resolution 217 A (III).

[6] See resolution 2200 A (XXI), annex.

[7] United Nations, *Treaty Series*, vol. 660, No. 9464.

[8] Ibid., vol. 1249, No. 20378.

[9] Ibid., vol. 1577, No. 27531.

[10] Resolution 61/106, annex I.

[11] United Nations, *Treaty Series*, vol. 75, No. 973.

[12] See *Official Records of the Economic and Social Council, 2003, Supplement No. 2* (E/2003/22), annex IV.

[13] A/HRC/6/3.

[14] A/HRC/12/24.

[15] See resolution 55/2.

access to basic sanitation, as agreed in the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation").[16]

1. *Declares* the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights;

2. *Calls upon* States and international organizations to provide financial resources, capacity-building and technology transfer, through international assistance and cooperation, in particular to developing countries, in order to scale up efforts to provide safe, clean, accessible and affordable drinking water and sanitation for all;

3. *Welcomes* the decision by the Human Rights Council to request that the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation present an annual report to the General Assembly,[17] and encourages her to continue working on all aspects of her mandate and, in consultation with all relevant United Nations agencies, funds, and programmes, to include in her report to the Assembly, at its sixty-sixth session, the principal challenges related to the realization of the human right to safe and clean drinking water and sanitation and their impact on the achievement of Millennium Development Goals.

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[16] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[17] See Human Rights Council resolution 12/8.

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28 July 2010

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Sixty-fourth session
Agenda item 48
Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Antigua and Barbuda, Bahrain, Bangladesh, Benin, Bolivia (Plurinational State of), Burundi, Central African Republic, Congo, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Fiji, Georgia, Haiti, Madagascar, Mauritius, Nicaragua, Nigeria, Paraguay, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Serbia, Seychelles, Solomon Islands, Sri Lanka, Tuvalu, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of) and Yemen: draft resolution

The human right to water and sanitation

Addendum

Add the following countries to the list of sponsors of the draft resolution:

Angola, Azerbaijan, Burkina Faso, Eritrea, Guinea, Maldives, Mali and Timor-Leste

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General Assembly

Distr.: Limited
29 July 2010

Original: English

Sixty-fourth session
Agenda item 104
Crime prevention and criminal justice

Draft resolution submitted by the President of the General Assembly

United Nations Global Plan of Action against Trafficking in Persons

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations and reaffirming its role under the Charter, including on issues related to development, peace and security and human rights,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes a serious threat to human dignity, human rights and development,

Recognizing that poverty, unemployment, lack of socio-economic opportunities, gender-based violence, discrimination and marginalization are some of the contributing factors that make persons vulnerable to trafficking in persons,

Recalling the United Nations Millennium Declaration,[1] adopted on 8 September 2000, in which Member States resolved to intensify efforts to fight transnational crime in all its dimensions, including trafficking in human beings,

Recalling also the 2005 World Summit Outcome Document[2] adopted by the General Assembly on 16 September 2005, noting that trafficking in persons continues to pose a serious challenge to humanity and requires a concerted international response, and urging all States to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons in order to counter the demand for trafficked victims and to protect them,

Reaffirming its resolution 55/25 of 15 November 2000, by which it adopted the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, and recalling other related conventions

[1] See resolution 55/2.
[2] See resolution 60/1.

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and instruments such as the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[3] the Convention on the Rights of the Child[4] and the Optional Protocols thereto on the sale of children, child prostitution and child pornography[5] and on the involvement of children in armed conflict,[6] and the Convention on the Elimination of All Forms of Discrimination against Women,[7]

Recognizing the crucial importance of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,[8] which entered into force on 25 December 2003 and provided for the first time an internationally agreed definition of the crime of trafficking in persons, aimed at the prevention of trafficking in persons, protection of its victims and prosecution of its perpetrators,

Recalling all General Assembly resolutions on measures to eliminate trafficking in persons, including resolutions 61/180 of 20 December 2006, 63/194 of 18 December 2008 and 64/178 of 18 December 2009 on improving the coordination of efforts against trafficking in persons, 61/144 of 19 December 2006 on trafficking in women and girls, and 58/137 of 22 December 2003 on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking,

Reaffirming Commission on Human Rights resolution 2004/110 of 28 September 2007,[9] in which the Commission appointed the Special Rapporteur on trafficking in persons, especially in women and children, to highlight the importance of a victims-centred, rights-based approach to combating trafficking in persons, especially women and children, Human Rights Council resolution 6/14 of 28 September 2007,[10] in which the Council appointed the Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, Commission on Human Rights resolution 1990/68 of 7 March 1990,[11] by which the Commission appointed the Special Rapporteur on the sale of children, child prostitution and child pornography, and General Assembly resolution 62/141 of 18 December 2008, in which the Assembly requested the Secretary-General to appoint a Special Representative on violence against children, and noting the appointment of the Special Representative of the Secretary-General on sexual violence in conflict,

Recalling that pursuant to the request of the Economic and Social Council in resolution 2006/27 of 26 July 2006, on strengthening international cooperation in preventing and combating trafficking in persons and protecting victims of such trafficking, reinforced by the General Assembly in resolution 61/180, on improving

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[3] United Nations, *Treaty Series*, vol. 266, No. 3822.

[4] Ibid., vol. 1577, No. 27531.

[5] Ibid., vol. 2171, No. 27531.

[6] Ibid., vol. 2173, No. 27531.

[7] Ibid., vol. 1249, No. 20378.

[8] Ibid., vol. 2237, No. 39574.

[9] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[10] See *Official Records of the General Assembly, Sixty-third session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[11] *Official Records of the Economic and Social Council, 1990, Supplement No. 2* and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

the coordination of efforts against trafficking in persons, the Inter-Agency Coordination Group against Trafficking in Persons was established to foster coordination and cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking,

Recognizing that the launching in March 2007 of the Global Initiative to Fight Human Trafficking by the United Nations Office on Drugs and Crime, in partnership with the International Labour Organization, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the Organization for Security and Cooperation in Europe and the International Organization for Migration, and the Vienna Forum to Fight Human Trafficking, held from 13 to 15 February 2008, provided all anti-trafficking actors, including the United Nations, Governments and civil society organizations with a global forum to share respective experiences and further highlighted the need collectively to address human trafficking in a multifaceted and holistic manner,

Recalling the thematic debate on human trafficking held by the General Assembly on 3 June 2008, which gave Member States a forum for discussion concentrating on the three P's, prevention, protection and prosecution, and the interactive thematic dialogue on the theme "Taking collective action to end human trafficking", held by the General Assembly on 13 May 2009, in which the importance was underlined of strengthening collective action by Member States and other stakeholders, including regional and international organizations, non-governmental organizations, the private sector and the media,

Recognizing the importance of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, which was established to improve the capacity of States parties to combat transnational organized crime and to promote and review the implementation of the Convention and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

Recognizing decisions 1/5, 2/3, 3/3 and 4/4 concerning the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime,[12]

Recalling relevant subregional, regional and cross-regional mechanisms and initiatives, such as the Arab Initiative for Building National Capacities to Combat Human Trafficking; the Doha Founding Forum; the Asia-Europe Meeting Action Plan to Combat against Trafficking in Persons, Especially Women and Children; the Association of Southeast Asian Nations Declaration against Trafficking in Persons, Particularly Women and Children; the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime; the Black Sea Economic Cooperation Organization Action Plan on Cooperation in Combating Crime, in Particular Its Organized Forms; the Council of Baltic Sea States Task Force against Trafficking in Human Beings; the Commonwealth of Independent States Agreement on Cooperation in Combating Trafficking in Persons, Human Organs and Tissues; the Central American Coalition against Trafficking in Persons; the Coordinated Mekong Ministerial Initiative against Trafficking; the Council of Europe

[12] See, respectively, CTOC/COP/2004/6, chap. I; CTOC/COP/2005/8, chap. I; CTOC/COP/2006/14, chap. I; and CTOC/COP/2008/19, chap. I.

Convention on Action against Trafficking in Human Beings; the Declaration on the Fight against Trafficking in Persons of the Economic Community of West African States; the Joint Plan of Action to Combat Trafficking in Persons, Especially Women and Children, of the Economic Community of West African States and the Economic Community of Central African States; the Manama International Conference on Human Trafficking at the Crossroads: the Public-Private Partnership; the Southern Common Market (MERCOSUR) Plan of Action to Combat Trafficking in Persons; the Organization of American States Work Plan to Combat Trafficking in Persons in the Western Hemisphere; the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children; the Organization for Security and Cooperation in Europe Action Plan to Combat Trafficking in Human Beings; the Plan of Action of the Regional Conference on Migration; the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution; the Stability Pact for South-Eastern Europe Task Force on Trafficking in Human Beings, in Particular in its Organized Forms, of the Organization for Security and Cooperation in Europe; and the Stockholm Programme for 2010-2014 of the European Union and its Action Plan setting up priorities in the field of justice and home affairs and establishing an anti-trafficking coordinator,

Recognizing the need to develop a global plan of action against trafficking in persons that will:

(a) Promote universal ratification of the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as other relevant international instruments that address trafficking in persons and reinforce the implementation of existing instruments against trafficking in persons;

(b) Help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons;

(c) Promote comprehensive, coordinated and consistent responses, at the national, regional and international levels, to counter trafficking in persons;

(d) Promote a human rights-based, gender- and age-sensitive based approach in addressing all factors that make people vulnerable to trafficking in persons and strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect its victims and prosecute its perpetrators;

(e) Raise awareness within the United Nations system and also among States and other stakeholders such as the private sector, civil society and the international and national mass media and the public at large;

(f) Foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and within various entities of the United Nations system, taking into account existing best practices and lessons learned;

1. *Adopts* the present resolution and its annex as the United Nations Global Plan of Action to Combat Trafficking in Persons;

2. *Decides* to formally launch the Plan of Action in a one-day, high-level meeting of the General Assembly and urges Member States, the United Nations and other international, regional and subregional organizations as well as civil society,

including non-governmental organizations, the private sector and the media, to fully and effectively implement the relevant provisions of the Plan of Action and the activities outline therein;

3. *Urges* Member States that have not yet done so to consider ratifying or acceding as a matter of priority to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them fully and effectively;

4. *Decides* to establish, in accordance with paragraph 36 of the annex of the present resolution, the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, and requests the Secretary-General to take all necessary measures for its effective operation, and acknowledges previous and ongoing contributions to other funding sources that support efforts to combat trafficking in persons;

5. *Requests* the Secretary-General to include a section on the implementation by the United Nations system of the Plan of Action, within already existing reporting obligations to the General Assembly under the item on crime prevention and criminal justice;

6. *Decides* to appraise in 2013 the progress achieved in the implementation of the Plan of Action and requests the Secretary-General to take all necessary measures in that regard;

7. *Requests* the Secretary-General to present proposals to finance the staffing and programmatic requirements of the Secretariat necessary to strengthen the capacity of the United Nations Office on Drugs and Crime as described in the Plan of Action through a reallocation of resources in the context of the proposed programme budget for the biennium 2012-2013.

Annex

Global Plan of Action to Combat Trafficking in Persons

We, the States Members of the United Nations, reaffirm our commitments to end the heinous crime of trafficking in persons, especially women and children, express our determination to prevent and combat trafficking in persons, protect and assist victims of trafficking in persons, prosecute crimes of trafficking in persons and promote partnerships to strengthen coordination and cooperation, and resolve to translate our political will into concrete actions by adopting an action plan to:

1. Consistently and strongly condemn trafficking in persons, which constitutes a criminal activity violating human dignity and has negative effects on development, peace and security and human rights.

2. Recognize that "trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation, which includes, at a minimum, the

exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (hereinafter referred to as the "Trafficking Protocol").

3. Ensure that the promotion and protection of the human rights of victims of trafficking in persons, the prevention of trafficking in persons by addressing the social, economic, cultural, political and other contributing factors and the strengthening of the criminal justice response are at the centre of all efforts to prevent and combat trafficking in persons and to protect, assist and provide redress to victims.

4. Take urgent action to prevent trafficking in persons, protect its victims and prosecute its offenders and strengthen partnerships to these ends by promoting and considering, as a priority, ratifying or acceding to the United Nations Convention against Transnational Organized Crime (hereinafter "the Convention") and the Trafficking Protocol, as well as other relevant international instruments, including the Forced Labour Convention, 1930 (No. 29) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[1] the Convention on the Rights of the Child[2] and the Optional Protocol thereto on the sale of children, child prostitution and child pornography[3] and on the involvement of children in armed conflict,[4] and the Convention on the Elimination of All Forms of Discrimination against Women.[5]

5. Recognize that, in accordance with article 32 of the Convention, the Conference of the Parties to the Convention is established to improve the capacity of States parties to promote and review the implementation of the Convention, including the Trafficking Protocol, and take note of ongoing initiatives aimed at exploring options regarding an appropriate and effective mechanism to assist the Conference of the Parties in the review of the implementation of the Convention.

6. Take into account the activities and recommendations of the open-ended interim Working Group on Trafficking in Persons established by the Conference of the Parties.

7. Support the Human Rights Council and contribute to its work on the question of the promotion and protection of human rights for all in the fight against trafficking in persons.

8. Support the role and mandates of the Special Rapporteurs on trafficking in persons, especially women and children, on contemporary forms of slavery, including its causes and consequences, on violence against women, its causes and consequences, and on the sale of children, child prostitution and child pornography, the Special Representatives of the Secretary-General on violence against children, and on sexual violence in conflict and other relevant special rapporteurs and representatives. The mandate holders should assist States by offering concrete advice, liaising with the United Nations and regional organizations and reporting on these issues.

9. Reaffirm the central role of the work of United Nations Office on Drugs and Crime in the global fight against trafficking in persons, particularly in providing technical assistance to implement the Convention and the Trafficking Protocol, by

making use of existing capacity-building tools, lessons learned and expertise available in international organizations, including, inter alia, the International Framework for Action to Implement the Trafficking in Persons Protocol.

10. Reaffirm the important work of the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, the International Labour Organization and the International Organization for Migration in the global fight against trafficking in persons.

11. Strongly urge all responsible United Nations entities to coordinate their efforts to fight trafficking in persons effectively and to protect the human rights of its victims, including by means of the Inter-Agency Coordination Group against Trafficking in Persons and the Global Initiative to Fight Human Trafficking.

I. Prevention of trafficking in persons

12. Address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons, such as poverty, unemployment, inequality, humanitarian emergencies, including armed conflict and natural disasters, sexual violence, gender discrimination, and social exclusion and marginalization, as well as a culture of tolerance towards violence against women, youth and children.

13. Make a commitment to address all forms of trafficking in persons wherever they occur.

14. Mainstream the issue of trafficking in persons into the broader policies and programmes of the United Nations aimed at addressing economic and social development, human rights, the rule of law, good governance, education, and natural disaster and post-conflict reconstruction.

15. Adopt and implement comprehensive policies and programmes at the national level and, as appropriate, at the subregional and regional levels to prevent all forms of trafficking in persons that are in line with relevant policies and programmes on migration, education, employment, gender equality, empowerment of women and crime prevention, in accordance with relevant international human rights instruments.

16. Conduct research and collect suitably disaggregated data that would enable proper analysis of the nature and extent of trafficking in persons.

17. Develop or strengthen processes for the identification of victims, such as those developed, inter alia, by the United Nations Office on Drugs and Crime and other organizations, including appropriate and non-discriminatory measures that help to identify victims of trafficking in persons among vulnerable populations.

18. Promote awareness-raising campaigns aimed at persons at risk of being trafficked and at the general public through education and the effective involvement of the mass media, non-governmental organizations, the private sector and community leaders with a view to discouraging the demand that fosters the exploitation of persons, especially women and children, and that leads to trafficking, and collect and disseminate best practices on the implementation of those campaigns.

19. Stress the role of education in raising awareness about the prevention of trafficking in persons, and promote education, in particular human rights education, and human rights learning as a sustainable way of preventing trafficking in persons.

20. Reinforce efforts regarding the provision of identity documents, such as the registration of births, in order to lower the risk of being trafficked and to help to identify victims of trafficking in persons.

21. Increase and support prevention efforts in countries of origin, transit and destination by focusing on the demand that fosters all forms of trafficking and the goods and services produced as a result of trafficking in persons.

22. Adopt and implement specific measures at the national level to combat trafficking for labour exploitation and strive to educate consumers on those measures.

23. Strengthen or continue to strengthen the capacity of law enforcement, immigration, education, social welfare, labour and other relevant officials in the prevention of trafficking in persons, taking into account the need to respect human rights and child and gender-sensitive issues and encourage cooperation, where appropriate, with civil society, non-governmental organizations and other relevant organizations.

24. Encourage the United Nations to intensify its work with Member States and relevant international, regional and subregional organizations to identify and share best practices to prevent trafficking in persons.

II. Protection of and assisting victims of trafficking in persons

25. Reaffirm that the promotion and protection of human rights for all and effective measures to respond to trafficking in persons are complementary and mutually reinforcing.

26. Stress the need to promote and protect the rights of victims of trafficking in persons and to reintegrate victims into the community by taking into account the Recommended Principles and Guidelines on Human Rights and Human Trafficking developed by the Office of the High Commissioner for Human Rights[13] and the Guidelines on the Protection of Child Victims of Trafficking,[14] developed by the United Nations Children's Fund.

27. Ensure that victims of trafficking in persons are treated as victims of crime and that national legislation effectively criminalizes all forms of trafficking.

28. Review existing national services available to victims of trafficking in persons, consistent with the Convention and the Trafficking Protocol, strengthen those services where needed, and support the establishment or strengthening of appropriate referral mechanisms.

29. Strengthen or continue to strengthen the capacity of relevant officials likely to encounter and identify possible victims of trafficking in persons, such as

[13] E/2002/68/Add.1.

[14] Available from www.unicef.org/ceecis/0610-Unicef_Victims_Guidelines_en.pdf. Accessed on 29 July 2010.

law enforcement personnel, border control officers, labour inspectors, consular or embassy officials, judges and prosecutors and peacekeepers, and ensure the availability of needed resources to the relevant sectors and institutions, including those of civil society.

30. Urge Governments to take all appropriate measures to ensure that identified victims of trafficking in persons are not penalized for having been trafficked and that they do not suffer from victimization as a result of actions taken by Government authorities.

31. Protect the privacy and identity and ensure the safety of victims of trafficking in persons before, during and after criminal proceedings and protect immediate family members and witnesses, as appropriate, from retaliation by traffickers, by ensuring their safety in accordance with articles of 24 and 25 of the Convention.

32. Provide assistance and services for the physical, psychological and social recovery and rehabilitation of trafficked persons, in cooperation with non-governmental organizations and other relevant organizations and sectors of civil society.

33. Urge States parties to consider adopting legislative or other appropriate measures that permit victims of trafficking in persons to remain in their territory, temporarily or permanently, in appropriate cases, consistent with the Convention and the Trafficking Protocol.

34. Ensure that countries of origin accept back their nationals who are victims of trafficking in persons and guarantee such return is conducted with due regard for safety and shall preferably be voluntary, consistent with the Convention and the Trafficking Protocol.

35. Adopt labour laws in countries of origin, transit and destination which provide legal rights and protections for workers that would limit their risk of being trafficked.

36. Provide specialized services to identified victims of trafficking in persons, consistent with the Convention and the Trafficking Protocol and other relevant instruments, including access to health services, such as access to prevention, treatment, care and support services for HIV, AIDS and other blood-borne and communicable diseases for those victims of trafficking in persons that have been sexually exploited, taking into account the fact that human trafficking for the purposes of sexual exploitation has serious, immediate and long-term implications for health, including sexual and reproductive health.

37. Provide appropriate assistance and protection in the best interest of the child to child victims of trafficking in persons or to those at risk of being trafficked, including through appropriate services and measures for the physical and psychological well-being of child victims of trafficking in persons and for their education, rehabilitation and reintegration, in coordination with existing child protections systems.

38. Establish the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to provide humanitarian, legal and financial aid to victims of trafficking in persons through established channels of assistance, such as governmental, intergovernmental and

non-governmental organizations, which shall operate as a subsidiary fund of the United Nations Crime Prevention and Criminal Justice Fund, managed by the United Nations Office on Drugs and Crime, and be administered in accordance with the Financial Regulations and Rules of the United Nations and other relevant provisions, with the advice of a board of trustees composed of five persons with relevant experience in the field of trafficking in persons who shall be appointed with due regard to equitable geographic distribution by the Secretary-General in consultation with Member States and with the Executive Director of the United Nations Office on Drugs and Crime.

39. Adopt measures to ensure that victims of trafficking in persons can seek compensation for the damage suffered, consistent with the Convention and the Trafficking Protocol.

40. Acknowledge the important role of civil society organizations in providing assistance and empowerment to victims of trafficking in persons, helping them to seek redress and facilitating the care of and provision of appropriate services to victims, including close cooperation and coordination with law enforcement officials.

41. Ensure that domestic legal or administrative systems include measures to provide information to victims of trafficking in persons, in a language they understand, regarding their legal rights and the relevant court and administrative proceedings and facilitate their access to assistance in order to enable their views and concerns to be presented and considered at appropriate stages of such proceedings against offenders in a manner not prejudicial to the rights of the defence, consistent with the Convention and the Trafficking Protocol .

42. Provide victims of trafficking in persons with an adequate period of time to recover and the opportunity to consult with appropriate advisers to assist in decision-making regarding cooperation with law enforcement and their participation in judicial proceedings.

III. Prosecution of crimes of trafficking in persons

43. Implement all relevant legal instruments that criminalize trafficking in persons, including by:

(a) Prosecuting crimes of trafficking in persons that encompass all forms of exploitation and enacting, enforcing and strengthening legislation that criminalizes all trafficking in persons, especially that of women and children;

(b) Adopting legislation and other measures as necessary to establish as criminal offences attempting to commit an offence, participating as an accomplice in an offence and organizing or directing other persons to commit an offence, as set out in the Trafficking Protocol, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Optional Protocols thereto and other relevant instruments, as applicable;

(c) Combating and prosecuting organized criminal groups engaged in trafficking in persons.

44. Ensure the liability of all categories of perpetrators of trafficking in persons, including the liability of legal persons and entities, as appropriate, in line with relevant international instruments.

45. Enhance efforts to investigate alleged cases of trafficking, strengthen means to combat trafficking, prosecute perpetrators, including through more systematic use of freezing assets for the purpose of eventual confiscation, in accordance with the provisions of article 12 of the Convention, and ensure that penalties are proportionate to the gravity of the crime.

46. Make use of the available technical assistance provided to strengthen the criminal justice response to trafficking in persons, including by the United Nations Office on Drugs and Crime.

47. Investigate, prosecute and punish corrupt public officials who engage in or facilitate the trafficking in persons and promote a zero-tolerance policy against those corrupt officials, consistent with the United Nations Convention against Corruption[15] and the United Nations Convention against Transnational Organized Crime.

48. Strengthen or continue to strengthen coordination and cooperation among States in combating crimes that might be connected with trafficking in persons, including money-laundering, corruption, smuggling of migrants and all forms of organized crime.

49. Encourage the law enforcement, immigration, border patrol or other relevant authorities of concerned States to cooperate with one another by exchanging information with full respect for domestic laws, such as data protection laws, and to continue to promote cooperation among countries of origin, transit and destination in order to enhance investigations, prosecutions and detection of trafficking networks.

IV. Strengthening of partnerships against trafficking in persons

50. Recognize that capacity-building is a very important component in combating trafficking in persons and encourage and enhance coordination and coherence within the United Nations system.

51. Encourage effective cooperation and coordination of efforts at the national, bilateral, subregional, regional and international levels, especially among countries of origin, transit and destination, and take advantage of the networks provided by relevant organizations to share best practices in capacity-building for responding to and combating trafficking in persons, while stressing the importance of mutual legal assistance efforts and the exchange of information with full respect for domestic laws, such as data protection laws, including operational information, programmes and best practices in supplementing the Convention and the work done by the Conference of the Parties to the Convention.

[15] United Nations, *Treaty Series*, vol. 2349, No. 42146.

52. Conclude and implement mutual legal assistance and extradition agreements, where appropriate, to apprehend and prosecute perpetrators of trafficking in persons, in accordance with the relevant provisions of national and international law, including the Convention.

53. Promote cooperation and coordination among governmental institutions, civil society and the private sector, including the media, as well as workers' and employers' organizations, to strengthen prevention and protection policies and programmes.

54. Strengthen cooperation among law enforcement agencies, regionally and internationally.

55. Intensify international, regional and subregional cooperation to combat trafficking in persons, as well as technical assistance for countries of origin, destination and transit, aimed at strengthening their ability to prevent all forms of trafficking in persons.

56. Strengthen and support the Inter-Agency Coordination Group against Trafficking in Persons in order to improve coordination and cooperation among relevant United Nations bodies, including the human rights treaty bodies and mechanisms, and international organizations.

57. Encourage the United Nations Office on Drugs and Crime, other United Nations agencies, funds and programmes of the United Nations system and international and regional organizations to continue to assist Member States, upon request, to strengthen policymaking, legislative arrangements, border control and law enforcement cooperation, public awareness campaigns and capacity-building and to exchange and build upon best practices in assisting victims of trafficking in persons.

58. Further encourage United Nations agencies, funds and programmes of the United Nations system to continue to improve the coherence and efficiency of technical assistance delivery in the field of trafficking in persons, in accordance with the recommendations of the Open-ended Intergovernmental Working Group of Governmental Experts on Technical Assistance established by the Conference of the Parties to the Convention.

59. Urge the Secretary-General to expedite the strengthening of the Inter-Agency Coordination Group against Trafficking in Persons under the coordination of the United Nations Office on Drugs and Crime in order to ensure overall organization and coherence in the United Nations system's efforts to respond to trafficking in persons.

60. Request the Secretary-General, as a matter of priority, to strengthen the capacity of the United Nations Office on Drugs and Crime to collect information and report biennially, starting in 2012, on patterns and flows of trafficking in persons at the national, regional and international levels in a balanced, reliable and comprehensive manner, in close cooperation and collaboration with Member States, and share best practices and lessons learned from various initiatives and mechanisms.

61. Encourage Member States to consider making voluntary contributions to the work of the United Nations in combating human trafficking, and to explore additional sources of funding in this regard, including reaching out to the private sector for contributions.

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Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law

Serbia: draft resolution

Request for an advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law

The General Assembly,

Guided by the principles enshrined in the Charter of the United Nations,

Bearing in mind its functions and powers under the Charter of the United Nations,

Recalling its resolution 63/3 of 8 October 2008,

Aware that an agreement between the parties on the effects of the unilateral declaration of independence of Kosovo from Serbia has not been reached,

Mindful of the fact that a unilateral secession cannot be an acceptable way of resolving territorial issues,

1. *Takes note* of the advisory opinion of the International Court of Justice on the accordance with international law of the unilateral declaration of independence in respect of Kosovo, rendered on 22 July 2010;

2. *Calls upon* the parties to find a mutually acceptable solution for all outstanding issues through peaceful dialogue, in the interest of peace, security and cooperation in the region;

3. *Decides* to include in the provisional agenda of its sixty-sixth session an item entitled "Follow-up to the advisory opinion of the International Court of Justice on whether the unilateral declaration of independence of Kosovo is in accordance with international law".

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